AMENDMENTS

Listing of Claims:

The following listing of claims replaces all previous listings or versions thereof:

1-7 (Canceled)

8. (Currently amended) A transgenic fish comprising a chimeric gene comprising a promoter that drives the expression of a structural gene predominantly in muscles of said fish, said promoter being a muscle creatine kinase gene promoter, or a fast skeletal muscle isoform of myosin light chain 2 gene promoter ~~The transgenic fish of claim 7, which~~ wherein the transgenic fish contains said promoter in germ cells and/or in somatic cells and which is capable of breeding with either a said transgenic fish or a non-transgenic fish to produce viable and fertile transgenic progeny.

9. (Currently amended) The transgenic fish of claim 8~~7~~, wherein said fish and progeny of said fish emit green fluorescence when the whole fish is exposed to a blue or ultraviolet light.

10. (Currently amended) The transgenic fish of claim 8, further comprising ~~A transgenic fish comprising a DNA that encodes~~ a fluorescent protein under control of saida promoter ~~that causes said DNA (1) to be expressed in predominately skin epithelia, (2) to be specifically expressed in muscles, (3) to be predominantly expressed in skeletal muscles, or (4) to be expressed ubiquitously in all tissues~~.

11. (Currently Amended) The transgenic fish of claim 10~~8~~, wherein said fluorescent protein is expressed a level sufficient that said fish fluoresces upon exposure to sunlight.

12. (Canceled)

13. (Previously presented) The transgenic fish of claim 10, wherein said promoter is a promoter which naturally occurs in the genome of a fish of the same species as the transgenic fish.

14.-18. (Canceled)

19. (Previously Presented) The transgenic fish of claim 10, further defined as an ornamental fish for the ornamental fish market, which contains said promoter in germ cells and/or in somatic cells and which is capable of breeding with either a said transgenic fish or a non-transgenic fish to produce viable and fertile transgenic progeny.

20. (Previously Presented) The transgenic fish of claim 10, wherein said fish and progeny of said fish emits green fluorescence when the whole fish is exposed to a blue or ultraviolet light.

21. (Previously Presented) The transgenic fish of claim 10, wherein said fluorescent protein is expressed a level sufficient that said fish fluoresces upon exposure to sunlight.

22. (Canceled)

23. (Currently amended) The transgenic fish of claim 10~~7~~, wherein the fish comprises a zebrafish muscle creatine kinase gene promoter which is capable of directing a structural gene to be specifically expressed in muscles when it is inserted in front of the structural gene and introduced into fish embryos.

24. (Currently amended) The transgenic fish of claim 10~~7~~, wherein the fish comprises a zebrafish fast skeletal muscle isoform of myosin light chain 2 gene promoter which is capable of directing a structural gene to be predominantly expressed in skeletal muscles when it is inserted in front of the structural gene and introduced into fish embryos.

25. – 29. (Canceled)

30. (New) The transgenic fish of claim 10, further defined as a zebrafish.